



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUN 18 2004

Steven M. Gerber, Esq.
666 5th Avenue, 26th Floor
New York, New York 10103-0040

Re: MUR 5429
Abraham Chehebar

Dear Mr. Gerber:

On June 8, 2004, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter as it pertains to Mr. Chehebar.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1573.

Sincerely,

A handwritten signature in black ink, appearing to be "Beth N. Mizuno".

Beth N. Mizuno
Attorney

Enclosure

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Abraham Chehebar)

MUR 5429

CONCILIATION AGREEMENT

Matter Under Review ("MUR") 5429 was initiated by the Federal Election Commission ("Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Abraham Chehebar ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A).¹

NOW THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. The Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts and violations of law in this matter are as follows:

¹ All of the facts recounted in this agreement occurred prior to the effective date of the Bipartisan Campaign Reform Act of 2002 ("BCRA"), Pub. L. 107-155, 116 Stat. 81 (2002). Accordingly, unless specifically noted to the contrary, all citations to the Federal Election Campaign Act of 1971, as amended ("the Act"), herein are to the Act as it read prior to the effective date of BCRA and all citations to the Commission's regulations herein are to the 2002 edition of Title 11, Code of Federal Regulations, which was published prior to the Commission's promulgation of any regulations under BCRA. All statements of the law in this agreement that are written in the present tense shall be construed to be in either the present or the past tense, as necessary, depending on whether the statement would be modified by the impact of BCRA or the regulations thereunder.

1 1. Friends of Weiner was the principal campaign committee of Rep. Anthony D. Weiner
2 for his campaign for the Democratic nomination to the United States House of Representatives
3 (New York 9th District) in the 2000 primary.

4 2. Ira Spodek is the Treasurer of Friends of Weiner.

5 3. A contribution is a gift, subscription, loan, advance, deposit of money, or anything of
6 value made by a person for the purpose of influencing any election for federal office. 2 U.S.C.
7 § 431(8)(A). A person is prohibited from making contributions to any candidate and his or her
8 authorized political committees with respect to any election for federal office which, in the
9 aggregate, exceed \$1,000. 2 U.S.C. § 441a(a)(1)(A).

10 4. The Respondent contributed an aggregate amount of \$4,000 to Friends of Weiner
11 during the 2000 election cycle.

12 5. The Respondent contends that he did not intend to make an excessive contribution to
13 Friends of Weiner or to violate the Federal Election Campaign Act. He contends that he relied
14 on Friends of Weiner personnel to ensure his contribution was within contribution limits.

15 V. The Respondent made an excessive contribution of \$2,000 to Friends of Weiner in
16 violation of 2 U.S.C. § 441a(a)(1)(A). The Respondent will cease and desist from violating
17 2 U.S.C. § 441a(a)(1)(A).

18 VI. The Respondent will pay a civil penalty to the Federal Election Commission in the
19 amount of \$1,000 pursuant to 2 U.S.C. § 437g(a)(5)(A).

20 VII. The Respondent will cease and desist from any further violations of 2 U.S.C.
21 § 441a(a)(1)(A).

22 VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C.
23 § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance

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1 with this agreement. If the Commission believes that this agreement or any requirement thereof
2 has been violated, it may initiate a civil action for relief in the U.S. District Court for the District
3 of Columbia.

4 IX. This agreement shall become effective as of the date that all parties thereto have
5 executed same and the Commission has approved the entire agreement.

6 X. The Respondent shall have no more than 30 days from the date this agreement
7 becomes effective to comply with and implement the requirements contained in this agreement
8 and to so notify the Commission.

9 XI. This Conciliation Agreement constitutes the entire agreement between the parties on
10 the matters raised herein, and no other statement, promise, or agreement, either written or oral,
11 made by either party or by agents of either party, that is not contained in this written agreement
12 shall be enforceable.

13 FOR THE COMMISSION:

14 Lawrence H. Norton
15 General Counsel
16

17

18 BY: Rhonda J. Vosdingh
19 Rhonda J. Vosdingh
20 Associate General Counsel
21

6/17/04
Date

22
23 FOR THE RESPONDENT:

24 [Signature]
25
26
27
28 Name
29 Position

4/29/04
Date